

**United States District Court  
Southern District Of New York**

Arthur Angermeir, Nitesh Bhagwanani, Ken Elder,  
Becky D. Glynn, Rajat Goyal, Kristina Greene, Louis  
Marrou, Marilyn Murrell, and Dr. Shiva Nancy  
Shabnam,

Plaintiffs

v.

Jay Cohen, Sara Krieger, Jennifer Centeno, Louis  
Cucinotta, Ricardo Brown, Robert Taylor, Joseph I.  
Sussman, Joseph I. Sussman, P.C., Lease Finance  
Group, LLC, MBF Leasing LLC, and Northern Leasing  
Systems, Inc.,

Defendants

No. 12 cv 0055 (KMK)

**ANSWER TO  
COUNTERCLAIMS**

Plaintiffs Mr. Arthur Angermeir, Mr. Nitesh Bhagwanani, Mr. Ken Elder, Ms. Becky D. Glynn, Mr. Rajat Goyal, Ms. Kristina Greene, Mr. Louis Marrou, Ms. Marilyn Murrell, and Dr. Shiva Nancy Shabnam, by their attorneys Chittur & Associates, P.C., hereby submit the following Answer to the Counterclaims, dated May 23, 2014.

1. Plaintiffs are without sufficient information to admit or deny the allegations contained in paragraphs 1 and 2 of the Counterclaims.
2. Mr. Angermeir denies the allegations contained in paragraphs 3 - 11 of the Counterclaims.
3. Mr. Bhagwanani denies the allegations contained in paragraphs 12 - 20 of the Counterclaims.
4. Mr. Elder denies the allegations contained in paragraphs 21 - 29 of the Counterclaims.

5. Ms. Greene denies the allegations contained in paragraphs 30 - 38 of the Counterclaims.
6. Ms. Murrell denies the allegations contained in paragraphs 39 - 48 of the Counterclaims.

### **AFFIRMATIVE DEFENSES**

#### **First Affirmative Defense**

7. The Counterclaims fail to state a cause of action against Plaintiffs upon which relief can be granted, and Defendants NLS, MBF, and LFG do not have standing to sue.

#### **Second Affirmative Defense**

8. Plaintiffs are not the cause of, or responsible for, any damages allegedly sustained by Defendants NLS, MBF, and LFG.

#### **Third Affirmative Defense**

9. The Complaint ought to be dismissed for failure to join necessary parties.

#### **Fourth Affirmative Defense**

10. Defendants NLS's, MBF's, and LFG's purported claims are barred, in whole or in part, by the doctrine of unclean hands, laches, waiver, and estoppel.

#### **Fifth Affirmative Defense**

11. Defendants NLS, MBF, and LFG's purported counterclaims, in whole or in part, were brought in an untimely manner and therefore barred by the applicable statute of limitations.

Sixth Affirmative Defense

12. Defendants NLS, MBF, and LFG failed to mitigate or otherwise act to lessen or reduce the damages alleged.

**WHEREFORE**, Plaintiffs demand judgment against Defendants NLS, MBF, and LFG dismissing Counterclaims with prejudice, together with an award of attorneys' fees and all expenses incurred on account of this litigation; and for such further and other reliefs as may be just and proper.

Dated: Ossining, New York  
May 29, 2014

**Chittur & Associates, P.C.**

Sd/

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